

Senate Bill No. 781

Passed the Senate May 23, 2005

Secretary of the Senate

Passed the Assembly August 18, 2005

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 867.1 to the Financial Code, relating to financial institutions.

LEGISLATIVE COUNSEL'S DIGEST

SB 781, Florez. Financial institutions: check holds.

Existing state law requires that funds deposited in an account at a depository institution be made available on the 2nd business day after the business day on which the funds are deposited, in the case of a cashier's check, certified check, teller's check, or depository check. The federal Expedited Funds Availability Act establishes funds availability schedules for funds deposited in an account at a depository institution.

This bill would provide that if funds deposited by check in an account at a depository institution are required to be made available at an earlier time pursuant to the provisions of the federal Expedited Funds Availability Act than the time provided in state law, the provisions of the federal Expedited Funds Availability Act would apply.

The people of the State of California do enact as follows:

SECTION. 1. Section 867.1 is added to the Financial Code, to read:

867.1. If funds deposited by check in an account at a depository institution are required to be made available at an earlier time pursuant to Section 4002 of Title 12 of the United States Code (federal Expedited Funds Availability Act) than the time provided in Section 867, the time limitations set forth in the provisions of the federal Expedited Funds Availability Act shall apply.

Approved _____, 2005

Governor